

AN ACT

ENTITLED, An Act to provide for special organ donation decals for license plates.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as follows:

Any owner of a motor vehicle, who is a resident of this state, who has a valid South Dakota driver license or South Dakota identification number, as assigned by the Department of Public Safety, may upon request receive a set of specialty license plates that allow for the placement of an organ donor decal on the plates. The specialty plates are in lieu of regular license plates issued by the county treasurer and may only be used on noncommercial vehicles that are licensed according to §§ 32-5-6 and 32-5-6.3. If the specialty plates are requested at the time of initial application for title and registration of the vehicle, no additional fees may be charged for the plates above the costs involved in registering the vehicle. If the specialty plates are requested after the time of initial application or if the vehicle has current South Dakota plates, the owner shall surrender the current plates and pay a ten dollar fee for the specialty plates. This fee is in addition to any applicable costs involved in the registration of the vehicle.

Section 2. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as follows:

The department shall approve the application of any organ donor program that meets the following requirements:

- (1) The primary activity or interest of the organ donor program serves the community, contributes to the welfare of others, and is not offensive or discriminatory in its purpose, nature, activity, or name;
- (2) The name and purpose of the organ donor program does not promote any specific product or brand name that is provided for sale;
- (3) The decal of the organ donor program does not promote a specific religion, faith, or

anti-religious belief; and

- (4) The application and decal design has been approved by the Department of Revenue.

Section 3. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as follows:

If the department approves an application for organ donor decals and the design of the decal, the department shall furnish the decals to the program. The organ donor program shall purchase no fewer than one hundred sets of the decals. The program shall reimburse the department for the cost of the decals, plus a fifteen percent administrative fee. The organ donor program shall establish criteria for an applicant to qualify for the decals and the fee to be charged for the decals. The organ donor program is responsible for the administration and issuance of the decals. No decal other than those authorized and issued by the department are permitted on license plates. Misuse of the decals or use of unauthorized decals is a Class 2 misdemeanor.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1162

Chief Clerk
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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1162

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State